## EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Donna Jo Coningsby, Registration No. 41,684 on 11/16/2009.

In the claims, amend claims 20 and 25 as follows:

In Claim 20, at the beginning of line 23 wherein the claim recites "a means for selecting the tree node", replace the phrase "a means" with the phrase "a pointing device" to recite "a pointing device for selecting the tree node".

In Claim 25, at the beginning of line 2 wherein the claim recites "a computer-readable medium", insert the word "storage" after the phrase "computer-readable" to recite "a computer-readable storage medium".

## REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

The Examiner deems Hessmer et al. (US 2002/0112044 A1) hereinafter Hessmer, E et al. (US 2004/0019639 A1) hereinafter E, and Melchione et al. (US 2002/0091819 A1)

hereinafter Melchione, to be relevant prior arts, wherein Hessmer being the closest prior art. Independent claims 1 (a computer-implemented method), 10 (an apparatus), 20 (a system), 25 (an article of manufacture), and their respective dependent claims, when considered as a whole, are allowable over the prior arts of record.

In particular, each of the independent claim 1, 10, 20 and 25 as amended require *"displaying a relationship value for each listed service reference, wherein the relationship value is to specify a binary value that represents a strength of a relationship between the listed service reference and the service represented by the selected tree node, the strength of the relationship indicating whether the listed service reference is or is not automatically started when the service represented by the selected tree node is started"*. None of the prior art of record either alone or in combination teaches the above limitations when considered as a whole. For example, Hessmer teaches displaying a hierarchical tree structure having one or more tree nodes in a graphical user interface, each of the one or more tree nodes representing a resource of an application server instance. However, Hessmer fails to teach that each of the one or more tree nodes representing a resource of an application server instance within a network of application server instances having the cluster architecture with all of the particular limitations of the cluster architecture as recited in the independent claims. In particular, Hessmer fails to clearly address "a redundant set of application logic and associated data", as well as "access to a central database", "a dispatcher", "a central service", "a locking service" and "a messaging service" as recited in the claims. The Examiner so far relied on E

reference for teaching the cluster of application servers. However, Applicants have

argued:

"Applicant submits that the specification does provide ample description of the cluster

architecture in Figure 13 and the accompanying paragraphs [0083-0089], and again respectfully

submit that the meaning of a particular claim term *may be defined by implication, that is,*

*according to the usage of the term in the context of the specification.* See Phillips v. AWH Corp.,

415 F.3d 1303, 75 USPQ2d 1321 (Fed. Cir. 2005) (en banc) quoted in MPEP 2111.01 (IV).

Accordingly, the claim limitations, including the terms "cluster," "dispatcher," "central

service," "locking service" and "messaging service," must be interpreted in light of the

specification." (See Remarks of 07/09/2009, page 17, lines 3-15)

Based on Applicants' argument, the Examiner interprets the terms "cluster,"

"dispatcher," "central service," "locking service" and "messaging service," as specified in

the instant specification. Therefore, based on such interpretation, E can no longer be

relied upon to read on "the cluster of application servers instances" claimed.

Nevertheless, even if E reference can be relied upon to read on the cluster of

application servers as claimed, neither Hessmer, nor E can be relied upon to teach,

when considered as a whole, *"displaying a relationship value for each listed service*

*reference, wherein the relationship value is to specify a binary value that represents a*

*strength of a relationship between the listed service reference and the service*

*represented by the selected tree node, the strength of the relationship indicating*

*whether the listed service reference is or is not automatically started when the service*

*represented by the selected tree node is started"*. Although Melchione reference might

arguably be relied upon to teach this limitation, the Examiner finds no suggestion or

motivation in the references themselves or in the general knowledge in the art to

combine the teaching of Melchione with Hessmer and E in order to arrive at the present

inventions in the manner recited in the claims without relying on hindsight knowledge.

Therefore, the Examiner deems the independent claims 1 (a computer-implemented

method), 10 (an apparatus), 20 (a system), 25 (an article of manufacture), and their

respective dependent claims, when considered as a whole, are allowable over the prior

arts of record.


*Conclusion*

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to RASHEDUL HASSAN whose telephone number is

(571)272-9481. The examiner can normally be reached on M-F 7:30AM - 4PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

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/Rashedul Hassan/
Examiner, Art Unit 2179

/Weilun  Lo/

Supervisory Patent Examiner, Art Unit 2179